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WW Engineering & Science
A Summit Company

VIA FACSIMILE

May 13, 1994

Mr. Alan I. Lewis
Law Clerk
U.S. EPA-Region V
Office of Regional Counsel
77 West Jackson Boulevard
Chicago, IL 60604-3590

RE: U.S. VS. THE SELMER COMPANY, ET AL.

Dear Mr. Lewis:

I am writing on behalf of North American Philips Corporation, Macmillan, and The Selmer Company in response to your letter dated April 14, 1994 in which you granted an extension of the deadline to construct the water main for 30 days from that letter.

Since your correspondence the following tasks have been undertaken:

1. We have submitted construction permit applications to the City of Elkhart, County of Elkhart, the Indiana Department of Transportation, and the Indiana Department of Environmental Management. All permits are still being processed.
2. Letters were sent to all 22 homes to request access to their property for water supply connection. We have received authorization from 11 of the homes. We have begun to contact by telephone those you have not replied.
3. We have requested bids for construction of the water main from three contractors. We will open those bids today at 5:00 p.m. EST.
4. We hope to begin construction as quickly as possible, pending receipt of necessary permits. If we have not received authorization from all property owners, we will install the water main in the Outer Drive right-of-way, and connect all homes who have granted access. The remainder of the homes will be connected as one group as soon as we have received the balance of the authorizations. We anticipate that construction of the water main, and connection of available homes will require three work weeks.

Mr. Alan I. Lewis

May 13, 1994

Page 2

As you can see, we have made great progress other the past month; however, it has not been possible to achieve the requested deadline. Therefore, we would request that the construction deadline be extended two months to allow for receipt of the necessary permits from the referenced agencies, and for construction of the water main and connection of as many of the homes as possible.

If you have any questions, please contact me at (616) 940-4233.

Sincerely,

WW ENGINEERING & SCIENCE
Environmental Services



Scott T. Dennis, C.P.G.
Senior Hydrogeologist

STD/mrc

cc: Risa H. Weinstock, Esq.
Linda Bullen, Esq.
James V. Woodsmall, Esq.
Ken Theison
Elizabeth Murphy, Esq.
Frank Bentkover, Esq.